



VIA ECF

May 2, 2022

Hon. Analisa Torres
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Ramon Abreu v. Torti Food, Corp., et al.*
Docket No.: 20-cv-10643 (AT)

Dear Judge Torres:

This firm represents Plaintiff Ramon Abreu, who brought the above-referenced matter against Defendants Torti Food, Corp., LMP Coffee Shop Inc., Demetria Chapman and Jose Perez (collectively as “Defendants”), his former employers, for violations of the Fair Labor Standards Act and New York Labor Law. The parties have reached a settlement in principle. As a result, the Court entered an order directing the parties to submit a motion for approval of the parties’ settlement agreement, pursuant to Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015), with respect to Plaintiff’s FLSA claims by May 2, 2022. Having reached an agreement regarding the outstanding terms of the parties’ settlement agreement on April 20, 2022, Plaintiff promptly circulated a revised draft of the settlement agreement incorporating those recent agreements and is waiting for formal approval of those revisions from certain parties. As Plaintiff has not yet received an executed copy of the settlement agreement from Defendants, assuming the proposed revisions incorporating the parties’ agreements are approved, Defendants require time to arrange for all parties to sign this formal settlement agreement. Plaintiff has prepared his motion for approval of the settlement agreement and signed the parties’ settlement agreement in anticipation of his motion.

As certain parties have not executed the settlement agreement, Plaintiff requests a brief extension of time from May 2, 2022 until May 9, 2022 to submit Plaintiff’s motion for approval. Plaintiff made two prior requests for an extension of this deadline, which were granted.

Plaintiff has been unable to reach Defendants since at least April 29, 2022 when Plaintiff began inquiring about when Defendants expected to execute the parties’ settlement agreement. Earlier today, Plaintiff sought to contact Defendants by telephone and multiple emails to inquire about the status of their signatures for the settlement agreement and, beginning this afternoon, requested their consent to submit an extension of time to submit Plaintiff’s motion as it became apparent that executed copies of the agreement were unlikely to be received today. Plaintiff has not yet received a response to that request.

GRANTED.

SO ORDERED.

Dated: May 4, 2022
New York, New York

ANALISA TORRES
United States District Judge